



COUNTY OF SAN DIEGO

LAND USE AGENDA ITEM

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER-PRICE
Third District

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Fourth District

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Fifth District

DATE: September 12, 2012

##

TO: Board of Supervisors

SUBJECT: VERY LOW COMPLEXITY CATEGORY PROPERTY SPECIFIC
REQUESTS GENERAL PLAN CLEAN-UP OPTION (DISTRICT: ALL)

SUMMARY:

Overview

On August 3, 2011 (1), the Board adopted the General Plan Update (GPU) and directed staff to establish a goal of bringing forward a General Plan Amendment (GPA) "Clean-up" every two years through regular monitoring and reporting on the General Plan. On June 27, 2012 (10), the Board directed staff to process an amendment to the adopted General Plan by conducting further review of 47 properties (referred to as Property Specific Requests (PSRs)). On July 25, 2012 (5), the Board further directed staff to return with a report on whether the Very Low Complexity Category Property Specific Requests could be processed as a part of the "Clean-up" process to avoid the longer processing time of the Property Specific Requests GPA that includes the Low, Medium, High and Very High Complexity PSRs. This report responds to Board direction provided at the July 25th hearing to determine which of the Very Low Complexity Category PSRs can be included in the next General Plan Clean-up.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Receive staff's report for including the Very Low Complexity Property Specific Requests with the "Clean-up" GPA.
2. Provide direction to staff to process NM16, RM15, SD2, and SV17, four of the twelve Very Low Requests shown in Attachment A, with the Clean-up process and the remaining eight with the GPA for the Low to Very High Complexity Property Specific Requests.

Fiscal Impact

There is no fiscal impact with staff's recommendation. Funds to prepare the General Plan Clean-up are included in the Fiscal Year 2012-13 Operational Plan for the Department of Planning and Land Use.

Business Impact Statement

N/A

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Advisory Board Statement

N/A

BACKGROUND:

On August 3, 2011 (1), the Board adopted the General Plan Update (GPU) and directed staff to establish a goal of bringing forward a General Plan Amendment (GPA) “Clean-up” every two years. Additionally, pursuant to state law, staff must present an Annual Report to the Board on the ongoing implementation of the General Plan. The Annual Report and the Clean-up GPA process are parallel items – the first Annual Report will be provided to the Board in Spring 2013 and the first Clean-up GPA will be presented in Fall 2013. The Annual Report will provide an additional opportunity to raise mapping issues that, based upon Board direction, staff could include as part of a future Clean-up GPA. The Clean-up GPA is intended to provide a regular mechanism for staff to make changes to the General Plan to allow for corrections discovered during the Plan’s implementation or to reflect changing circumstances. However, changes to an adopted General Plan must follow the process specified by state law, even when they are corrections or a clean-up. This process includes evaluation/analysis, public and agency review, Planning Commission review, and Board of Supervisors approval. Both the Annual Report and Clean-up GPA process would be accomplished using the established workplan and budget.

Clean-up GPA Status

Based on preliminary estimates, the first General Plan Clean-up GPA will include roughly 30-40 property land use changes and would be ready for Board consideration for adoption during Fall 2013. Generally, the types of recommended land use changes being processed as part of the Clean-up include mapping corrections, changes in ownership between public and private entities, Community Planning or Sponsor Group requested changes, and changes to reflect existing uses. The Clean-up process is only meant to be used for minor changes or additions to the General Plan that do not result in additional environmental impacts. Therefore, project changes qualifying for the Clean-up should only require an Addendum to the previously certified General Plan Update Environmental Impact Report (EIR). An Addendum may be prepared when significant environmental impacts were previously analyzed, and only minor changes or additions to the previously certified EIR are needed.

Very Low Complexity Property Specific Request Analysis

On June 27, 2012 (10), the Board referred 47 Property Specific Requests (PSRs) to be processed as a GPA. On July 25, 2012 (5), the Board further directed staff to return with a report on whether the Very Low Complexity Category PSRs could be included within the Clean-up process. Staff has evaluated these requests, and recommends that only those Very Low Complexity Category PSRs should be added to the Clean-up process where the environmental review that is necessary can be processed an Addendum to the EIR. Therefore the PSRs recommended for inclusion in the Clean-up GPA either have existing environmental analysis – each of the recommended PSRs has an associated project that has had the environmental impacts evaluated, either through the General Plan Update EIR or through a Mitigated Negative Declaration (MND) that was adopted as part of a Tentative Map — or would not allow any increase in development potential. Because of this existing environmental analysis, staff believes that all changes proposed as the General Plan Clean-up to the General Plan, including

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these four PSRs, may be approved with an Addendum to the General Plan Update EIR. If additional Very Low Complexity Category PSRs with an increase in development potential that has not undergone prior environmental review were to be included as part of the Clean-up process, additional environmental analysis (Supplemental or Subsequent EIR) and funding would be required and the schedule for the Clean-up would need to be extended. For example, if a Supplemental EIR were necessary, the processing time of the Clean-up GPA would increase by ten months and require \$200,000 in additional funding.

As shown on Attachment A, the PSRs with potentially significant environmental impacts that were not previously analyzed are not recommended for inclusion in the Clean-up process since they would require a Supplemental or Subsequent EIR. Therefore, only PSRs that meet the following criteria are recommended for processing with the Clean-up GPA:

- Additional impacts have been previously analyzed;
- Fully consistent with General Plan Guiding Principles, Goals and Policies; and
- Non-controversial with general community support.

While all twelve Very Low Complexity Category PSRs are consistent with the General Plan Guiding Principles, Goals and Policies and have general community support, only four of the twelve are recommended for processing with the General Plan Clean-up because they would not allow for an increase in development potential or their potential impacts have previously been analyzed either as part of the General Plan Update EIR or during approval of Tentative Maps with adopted Mitigated Negative Declarations (see Attachment A). Furthermore, the inclusion of these four requests to the Clean-up is not anticipated to result in any additional costs beyond those already budgeted, nor will it increase the projected timeline. Staff recommends that the remaining eight Very Low Complexity Category PSRs be processed with the GPA for the Low to Very High Complexity Category PSRs because the potential level of environmental impacts not previously analyzed is greater than what can be accommodated by an EIR Addendum (see Attachment A).

Environmental Statement

The process to approve a GPA is outlined in state law and is considered a project subject to CEQA. However, under this agenda item, staff is only seeking direction from the Board for which GPA proposed land use changes would be processed through the General Plan Clean-up. This direction by the Board does not commit the County to any specific outcome; and therefore is not a “project” as defined by CEQA and no environmental documentation is required at this time.

Linkage to the County of San Diego Strategic Plan

Today’s proposed action to determine if a General Plan Amendment for some Very Low Complexity Category PSRs could be processed in a more timely manner supports the County of San Diego’s 2012-2017 Strategic Plan Initiative of Sustainable Environments by supporting the process to implement goals and policies for the physical development of the unincorporated county that attempt to improve housing affordability, locate growth near infrastructure, services and jobs, assign densities based on characteristics of the land (e.g. topography, habitats, and groundwater resources), and create a model for community development.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Sarah Ag Hassi". The signature is fluid and cursive, with the first name "Sarah" being more prominent.

SARAH E. AGHASSI
Deputy Chief Administrative Officer

ATTACHMENT(S)

Attachment A – Rationale for Processing of Very Low Complexity Category Requests

SUBJECT: VERY LOW COMPLEXITY CATEGORY PROPERTY SPECIFIC
REQUESTS GENERAL PLAN CLEAN-UP OPTION (DISTRICT: ALL)

AGENDA ITEM INFORMATION SHEET |

REQUIRES FOUR VOTES: ☐ Yes ☒ No

WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED
☐ Yes ☒ No

PREVIOUS RELEVANT BOARD ACTIONS:

July 25 2012(5), – Directed staff to return with an analysis of the implications of including any Very Low Complexity category property specific requests as part of the next bi-annual clean-up General Plan Amendment rather than with the Property Specific Requests General Plan Amendment.

June 20, 2012 (3) and June 27, 2012 (10) – Referred the staff evaluated changes associated with 47 Property Specific Requests and associated Study Areas, to the Chief Administrative Officer to process a General Plan Amendment.

January 9-11, 2012 (4) – Formally referred to the Chief Administrative Officer 56 properties identified by the General Plan Update Property Specific Requests Workshop and directed staff to return with a work plan.

August 3, 2011 (1) – Directed staff to evaluate all remaining property specific requests and to schedule a workshop with the Board for review.

BOARD POLICIES APPLICABLE: N/A

BOARD POLICY STATEMENTS: N/A

MANDATORY COMPLIANCE: N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION
NUMBER(S):** N/A

ORIGINATING DEPARTMENT: Department of Planning and Land Use

OTHER CONCURRENCE(S): None

CONTACT PERSON(S):

Eric Gibson, Director

Name

(858) 694-2962

Phone

(858) 694-2555

Fax

O650

Mail Station

Eric.Gibson@sdcounty.ca.gov

E-mail

Joseph Farace, Acting Chief

Name

858-694-3690

Phone

858-694-2485

Fax

O650

Mail Station

Joseph.Farace@sdcounty.ca.gov

E-mail

Attachment A: Rationale for Processing of Very Low Complexity Category Requests

Include in CLEAN-UP PROCESS (EIR Addendum)

PSR	Name	Area (ac)	General Plan Designation			DU Increase	Description	Additional Impacts NOT Previously Analyzed
			Current	Analyzed	Request			
NM16	Chihuahua Valley	1,119	RL20/RL80 OS-C	RL20/RL80	SR10/OS-C	0	<ul style="list-style-type: none"> Modified request — Density increase offset by conversion to conservation lands No known community opposition 	NONE
RM15 Study Area	Teyssier	394	RL40	RL40	SR4	28	<ul style="list-style-type: none"> Approved Tentative Map [expires in 2014] Final MND adopted 3/24/2006 [Mitigation includes open space, buffers, signage, fencing, road improvements, and TIF payment] Study area reduced to remove additional dwelling units not already evaluated Included in Cumulative Analysis for GPU EIR Community Planning Group support; no known community opposition 	NONE
SD2 Study Area	Anderson	54	SR4	SR4	SR2	4	<ul style="list-style-type: none"> Approved Tentative Map [expires in 2015] Final MND adopted 6/8/2012 Additional parcels analyzed by MND [Mitigation includes TIF, open space, buffers, signage, fencing, and breeding season avoidance] No known community opposition 4 additional DUs [none in study area] 	NONE
SV17	Massey	6	VR2.9 SR1	VR7.3 VR4.3	VR7.3 VR4.3	23	<ul style="list-style-type: none"> Included under Referral Map in GPU EIR Environmental impacts of 23 additional DUs already evaluated in GPU EIR Community Planning Group now supports request, which they opposed during the General Plan Update. 	NONE
TOTAL		454				55		

Attachment A: Rationale for Processing of Very Low Complexity Category Requests

Include with PROPERTY SPECIFIC REQUEST GPA

PSR	Name	Area (ac)	General Plan Designation			DU Increase	Description	Additional Impacts NOT Previously Analyzed
			Current	Analyzed	Request			
CD14	Eastern end of Euclid Ave.	42	SR1/RL20	SR1/RL20	SR1/SR2 RL20	5	<ul style="list-style-type: none"> • 2 more DUs than supported by CPG • Meets General Plan conformance, but requires analysis of sensitive biological and fire hazard impacts • Constraints include: <ul style="list-style-type: none"> - Steep slopes - Wildlife corridor (MSCP PAMA) - Very High Fire Hazard Zone 	Physical/Environmental impacts of 5 additional DUs (42 acres)
FB19, 25, 26 Study Area	Stewart Canyon	579	RL20	RL20	SR10	3	<ul style="list-style-type: none"> • Meets General Plan conformance, but requires analysis of agricultural and biological resources and fire hazard impacts • Study Area (eastern half) designated Agriculture Preserve • Study Area (western half) in draft PAMA for North County MSCP 	Physical/Environmental impacts of 3 additional DUs (579 acres)
FB21, 22, 23 Study Area	Santa Margarita River	684	RL20	RL20	SR10	7	<ul style="list-style-type: none"> • Meets General Plan conformance, but requires analysis of fire hazard impacts • Road access concerns expressed by Study Area property owner • Portion within Very High Fire Severity Zone • Within Resource Conservation Area • Community Planning Group support 	Physical/Environmental impacts of 7 additional DUs (684 acres)
ME31	Campo Motor Museum	3	RL40	RL40	Rural Commercial	N/A	<ul style="list-style-type: none"> • Meets General Plan conformance, but requires analysis of sensitive biological impacts • Expansion of museum uses [potential for increased traffic] • No known community opposition 	Physical/Environmental impacts of new commercial-type uses (2.7 acres)

TOTAL **1,308**

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